

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**“HYBRID OPTICAL COMMUNICATION NETWORKS”**

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

X is attached hereto

\_\_\_\_ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and amended on \_\_\_\_\_ (if applicable).

\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_, on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

10/161,458      MAY 31, 2002      PENDING,  
which is a continuation of the priority claims on the attached sheet.

(Application Serial No.) (filing date)      status-patented, pending, abandoned)

\_\_\_\_\_

(Application Serial No.) (filing date)      status-patented, pending, abandoned)

PCT Applications designating the United States:

\_\_\_\_\_  
(PCT Appl. No.)      (U.S.S.N.)      (status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

\_\_\_\_\_  
Application Number      Filing Date      Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

**Full name of first inventor:** Steven B. Leeb

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: Same

**Full name of second inventor:** Roderick T. Hinman

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: Same

**Full name of third inventor:** Al-Thaddeus Avestruz

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: Same

**Full name of fourth inventor:** E. C. Lupton

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: USA

Post Office Address: Same

**Full name of fifth inventor:** Deron Jackson

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: Same

**Full name of sixth inventor:** George Hovorka

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: Same

**ATTORNEY DOCKET NUMBER: 2002147-0018 CIP**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Leeb, et al. Examiner:  
Serial Number: Pending Art Unit:  
Filed: July 10, 2003  
Title: "HYBRID OPTICAL COMMUNICATION NETWORKS"

Commissioner for Patents  
Mail Stop Patent Application  
Alexandria, Virginia 22313-1450

Sir:

**APPOINTMENT OF ATTORNEY**

The undersigned hereby appoints Sam Pasternack, Registration No. 29,576; Donald Muirhead, Registration No. 33,978; Brenda Herschbach Jarrell, Registration No. 39,223; Anne E. Saturnelli, Registration No. 41,290; Kevin M. Tormey, Registration No. 41,351; Elizabeth Nugent, Registration No. 43,839; Valarie B. Rosen, Registration No. 45,698; C. Hunter Baker, Registration No. 46,533; Monica R. Gerber, Registration No. 46,724; Elijah Cocks, Registration No. 47,499; Nadege M. Lagneau, Registration No. 51,908; and Charles Lyon, Limited Recognition Under 37 CFR 10.9(b) as its attorneys and agents for the prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Sam Pasternack, Esq., Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_

CHOATE, HALL & STEWART  
53 State Street  
Exchange Place  
Boston, MA 02109  
617/248-5000 Tel.  
617/248-4000 Fax.